ANNEX G

CONGRESSIONAL REPORTING REQUIREMENT: 50 USC 1523

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Text of Public Law Mandating Report on The Department of Defense Chemical and Biological Defense Program

Title 50 of the U.S. Code, Sec. 1523. Annual report on chemical and biological warfare defense
Implemented by Public Law 103-160, The FY94 National Defense Authorization Act

(a) Report required

The Secretary of Defense shall include in the annual report of the Secretary under section 113(c) of title 10, a report on chemical and biological warfare defense. The report shall assess--

(1) the overall readiness of the Armed Forces to fight in a chemical-biological warfare environment and shall describe steps taken and planned to be taken to improve such readiness; and

(2) requirements for the chemical and biological warfare defense program, including requirements for training, detection, and protective equipment, for medical prophylaxis, and for treatment of casualties resulting from use of chemical or biological weapons.

(b) Matters to be included

The report shall include information on the following:

(1) The quantities, characteristics, and capabilities of fielded chemical and biological defense equipment to meet wartime and peacetime requirements for support of the Armed Forces, including individual protective items.

(2) The status of research and development programs, and acquisition programs, for required improvements in chemical and biological defense equipment and medical treatment, including an assessment of the ability of the Department of Defense and the industrial base to meet those requirements.

(3) Measures taken to ensure the integration of requirements for chemical and biological defense equipment and material among the Armed Forces.

(4) The status of nuclear, biological, and chemical (NBC) warfare defense training and readiness among the Armed Forces and measures being taken to include realistic nuclear, biological, and chemical warfare simulations in war games, battle simulations, and training exercises.

(5) Measures taken to improve overall management and coordination of the chemical and biological defense program.

(6) Problems encountered in the chemical and biological warfare defense program during the past year and recommended solutions to those problems for which additional resources or actions by the Congress are required.

(7) A description of the chemical warfare defense preparations that have been and are being undertaken by the Department of Defense to address needs which may arise under article X of the Chemical Weapons Convention.

(8) A summary of other preparations undertaken by the Department of Defense and the On-Site Inspection Agency to prepare for and to assist in the implementation of the convention, including activities such as training for inspectors, preparation of defense installations for inspections under the convention using the Defense Treaty Inspection Readiness Program, provision of chemical weapons detection equipment, and assistance in the safe transportation, storage, and destruction of chemical weapons in other signatory nations to the convention.

(9) A description of any program involving the testing of biological or chemical agents on human subjects that was carried out by the Department of Defense during the period covered by the report, together with a detailed justification for the testing, a detailed explanation of the purposes of the testing, the chemical or biological agents tested, and the Secretary's certification that informed consent to the testing was obtained from each

human subject in advance of the testing on that subject.

In addition HNSC H. Rpt 105-132 (pp. 236-237) added the following reporting requirements *for this edition* of the report only:

1) M-40 mask problems;
2) DARPA BW Defense program coordination with CBDP;
3) Anthrax vaccine production & stockpile issues;
4) Vaccine development issues;
5) Equipment for Chem/Bio Quick Reaction Force (CBQRF)

The complete language of the requirement is as follows:

FY98 National Defense Authorization Act, HNSC H. Rpt. 105-132, (pp. 236-237):

Stated that the Committee has been advised of problems in the manufacture and qualification of new production M-40 protective masks. The committee is concerned about the impact of these problems on the ability to meet acquisition objectives for the mask. Directed the SecArmy to review the M-40 mask procurement program and provide a report by 10/31/97, addressing the results of that review and the corrective actions needed.

Stated that the Committee notes that the CPRC's May 1997 Report states that the DARPA biological warfare defense program will no longer be incorporated into the CBD program management and oversight structure. Directed the SecDef to ensure that the DARPA biological warfare defense program is coordinated and integrated under the program management and oversight of the DoD CBD program.

Stated that the Committee understands that DoD's policies on anthrax vaccination of US Forces and support for Other Than US Forces are awaiting final approval and that these decisions will impact total funding, vaccine production, and storage requirements. Stated that the Committee also notes the impending award of a prime systems contract to develop new biological defense vaccines, pursue vaccine licensing, and produce stockpile vaccines to meet DoD requirements.

Increased Vaccine Advanced Development (PE 64384BP) by $1.593M. Increased Vaccine Development by $0.858M.

Increased PE63884BP by $5.0M to support the on-going development efforts in detectors, decon equipment, and protective equipment for the Chemical-Biological Quick Reaction Force (CBQRF). (R - p. 237)

Directed the SecDef to address the above issues as specific areas of interest in the next annual report to Congress on the NBC defense program.